

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BROOKE HELMES and MEGAN CARLIN,

Plaintiffs,

-v-

1:06-CV-358

SOUTH COLONIE CENTRAL SCHOOL
DISTRICT; JILL CURRIER; HARRY
KACHADURIAN, THOMAS A. BROWN;
and BOARD OF EDUCATION OF SOUTH
COLONIE CENTRAL SCHOOL DISTRICT;

Defendants.

DAVID N. HURD
United States District Judge

ORDER

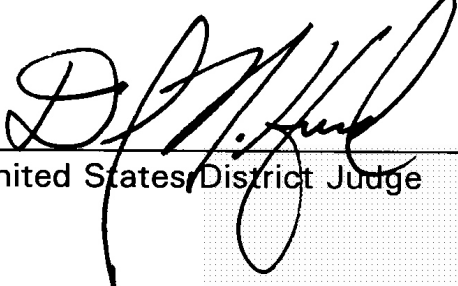
Defendants move to dismiss the complaint of plaintiff Megan Carlin, due to a failure to allege an adverse employment action. Defendants also seek dismissal of the claims against the individual defendants and all claims for punitive damages. Plaintiff Megan Carlin opposes and cross moves to amend the complaint to add further allegations regarding her claims.¹ Oral argument was heard on July 28, 2006, in Albany, New York. During oral argument the parties stated that Megan Carlin was granted tenure on June 21, 2006. Therefore, pursuant to the oral decision of the Court, entered into the record after the oral argument, it is

¹ Both plaintiffs requested permission, by letter motion, to amend the complaint to add a reference to a second EEOC letter. This request was granted by the Magistrate Judge on July 20, 2006.

ORDERED that

1. Defendants' motion for summary judgment is GRANTED and the complaint is DISMISSED as against plaintiff Megan Carlin in its entirety;
2. Plaintiff Megan Carlin's cross motion to amend the complaint is DENIED;
3. Defendants' motion for summary judgment dismissing the claims as against the individual defendants is GRANTED;
4. Jill Currier; Harry Kachadurian, and Thomas A. Brown are DISMISSED as defendants in this action;
5. Defendants' motion for summary judgment dismissing all punitive damages claims is GRANTED;
6. All claims for punitive damages are DISMISSED; and
7. Plaintiff Brooke Helmes may file an amended complaint pursuant to the Magistrate Judge's order, see supra note 1, on or before August 11, 2006; and
8. Defendants must file an answer to the amended complaint on or before August 25, 2006.

IT IS SO ORDERED.


United States District Judge

Dated: August 1, 2006
Utica, New York.